IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

Bail Appl..No. 4972 of 2007()

CMC.545/2007 OF THE SESSIONS COURT, MANJERI.
CRIME NO.766/07 OF TIRUR POLICE STATION

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PETITIONER:

KOCHUKUTTY, W/O. SANKARAN,
AGED 55 YEARS, THEKKUMMURY HOUSE,CHERIYA PARAPPUR,
TRIPPANGOD, TIRUR TALUK.

BY ADV. SRI.C.V.MANUVILSAN
SRI.G.SUDHEER (THURAVOOR)
SRI.P.C.ANIL KUMAR

RESPONDENTS:

STATE OF KERALA,
REPRESENTED BY THE S.I. OF POLICE, TIRUR POLICE
STATION THROUGH PUBLIC PROSECUTOR,HIGH COURT OF
KERALA.

BY P.P. SRI. S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. No. 4972 OF 2007

Dated this the 20th day of August, 2007

ORDER

Application for anticipatory bail. The petitioner is the mother-in-law of the alleged victim/the de ceased. Marriage took place on 31/5/07. The victim/the deceased committed suicide on 24/7/07. The husband of the deceased i.e., the son of the petitioner has been arrested and later enlarged on bail. The petitioner apprehends imminent arrest. The learned counsel for the petitioner submits that there was no matrimonial cruelty of any sort from the petitioner against the deceased. It was clearly a case of maladjustment of the newly wedded wife. The learned counsel for the petitioner further points out that the sister of the deceased also had committed suicide after her marriage. There is no specific allegation of any cruelty even in the suicide note left by the deceased/wife.

2. The learned counsel for the petitioner, in these

circumstances, prays that anticipatory bail, subject to appropriate conditions, may be granted to the petitioner herein.

3. The learned Public Prosecutor does not oppose the application and, in the circumstances to which I have a made brief reference above, I am satisfied that the petitioner can be granted anticipatory bail subject, of course, to appropriate conditions to be imposed on her in the interests of a fair, efficient and expeditious investigation.

4. In the result, this petition is allowed. Following directions are issued under Sec.438 of the Cr.P.C:

(i) The petitioner shall appear before the learned Magistrate having jurisdiction at 11 a.m. on 30/8/07. She shall be released on regular bail on her executing a bond for Rs.25,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) The petitioner shall make herself available for interrogation before the Investigating Officer between 10 a.m. and 3 p.m. on 31/8/07 and 1/9/07 and thereafter on all Mondays between 10 a.m. and 12 noon for a period of one month. Subsequently, she shall so make herself available for interrogation before the Investigating Officer as and when directed by the Investigating Officer in writing to do so.

(iii) If the petitioner does not appear before the learned Magistrate as directed in clause (i), directions issued above shall thereafter stand revoked and the police shall be at liberty to arrest the petitioner and deal with her in accordance with law as if these directions were not issued at all;

(iv) If the petitioner were arrested prior to her surrender on 30/8/07 as directed in clause (i) above, she shall be released on her executing a bond for Rs.25,000/- without any sureties undertaking to appear before the learned Magistrate on 30/8/07.

Sd/-

(R. BASANT, JUDGE)

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P.S. to Judge